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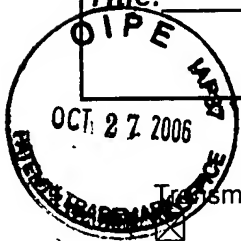


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PTO/SB/05 (03-01)

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Express Mail No.: EV331017976US	Attorney Docket No.	41170-171	First Inventor: Maxime Samain et al.
AMENDMENT TRANSMITTAL LETTER Title: <u>Lumbar with Flexwires in Cross</u>		Serial No.	10/799,044
		Filing Date	03/12/2004
		Examiner	Hawk, Noah Chandler
		Group Art Unit	3636



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Large Entity Status
- ☐ Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED- PART II						SMALL ENTITY		OTHER THAN SMALL ENTITY	
		(Column 1)		(Column 2)	(Column 3)				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	46*	Minus	**52	=0	x \$25.00=	\$ 0.00	x \$50.00=	\$ 0.00
	Independent (37 CFR 1.16(b))	4*	Minus	**4*	=0	x \$100.00=	\$ 0.00	x \$200.00=	\$ 0.00
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x \$180.00=		x \$360.00=	
						TOTAL ADDIT. FEE	\$ 0.00	TOTAL ADDIT. FEE	\$ 0.00
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>									

- ☒ Replacement drawings (3)
- ☒ No additional fee is required for amendment.
- ☐ A check in the amount of \$ is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. 08-3460.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-3460.
I have enclosed a duplicate copy of this sheet.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.

Signature
Dennis J.M. Donahue, III, 43,591
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314-480-1500
314-480-1505 FAX

Date: October 26, 2006

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<p align="center">Certificate of Express Mail Under 37 CFR 1.10</p> <p>I hereby certify that these documents are being deposited on <u>10/27/06</u> with the U.S. Postal Service as Express Mail Label No. <u>EV331017976US</u> under 37 CFR 1.10 and is addressed to MAIL STOP AMENDMENT, Commissioner for Patents, Alexandria, VA 21313-1450</p> <p>Signature: <u>Eileen Curran</u></p> <p>Type Name: <u>Eileen Curran</u></p>



Attorney Docket: 41170-171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Maxime Samain et al.	Group No.: 3636
Serial No.: 10/799,044	Atty. Docket No.: 41170-171
Filed: 03/12/2004	
For: Lumbar with Flexwires in Cross	Examiner: Hawk, Noah Chandler

MAIL STOP AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

HONORABLE SIR:

Responsive to the official communication of September 19, 2006, Applicant submits the following Amendments and Remarks. It is not believed that extensions of time are required beyond those, which may otherwise be provided for in documents accompanying this Amendment. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account 08-3460.